

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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**NEIL GAIMAN, and  
MARVELS AND MIRACLES, LLC,**

Plaintiffs,

Case No.: 02-CV-00048-bbc

v.

**TODD MCFARLANE, TODD  
MCFARLANE PRODUCTIONS, INC., TMP  
INTERNATIONAL, INC., MCFARLANE  
WORLDWIDE, INC., and IMAGE  
COMICS, INC.,**

Defendants.

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**PLAINTIFF'S MOTION FOR ORDER DECLARING GAIMAN'S INTEREST IN  
DERIVATIVE CHARACTERS FOR PURPOSES OF ACCOUNTING OF PROFITS**

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Pursuant to this Court's March 12, 2010 Opinion and Order and its Second Amended Judgment, plaintiff Neil Gaiman moves the Court for an order declaring that he is entitled to an accounting of profits earned by the McFarlane Defendants on all characters and works that are derivative of the characters and works identified in the Second Amended Judgment, including the characters Dark Ages Spawn, Tiffany and Domina. In addition, Gaiman requests that the Court order that Defendants are obligated to produce all documents and information relating to profits earned on characters and works for which Gaiman has a good faith basis to assert derivative work status, including the characters Dark Ages Spawn, Tiffany and Domina.

The grounds for this Motion are set forth in the brief and declarations filed in support of same.

Dated this 30th day of March, 2010.

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